



REC'D TN
REGULATORY AUTH.

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OFFICE OF THE
EXECUTIVE SECRETARY

May 24, 2002

VIA HAND DELIVERY

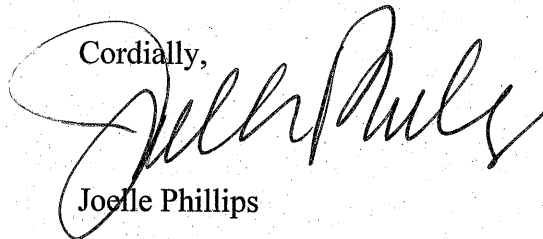
Mr. David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243-0505

Re: *Petition of Tennessee UNE-P Coalition to Open a Contested Case Proceeding to
Declare Switching an Unrestricted Unbundled Network Element*
Docket No. 02-00207

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth's First Set of Discovery Requests to Ernest Communications, Inc. A copy of the enclosed is being provided to counsel of record.

Cordially,



Joelle Phillips

JP/jej

Enclosure

BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee

In Re: *Petition of Tennessee UNE-P Coalition to Open a Contested Case Proceeding to Declare Switching an Unrestricted Unbundled Network Element*

Docket No. 02-00207

BELLSOUTH TELECOMMUNICATIONS, INC.'S
FIRST SET OF DISCOVERY REQUESTS TO
ERNEST COMMUNICATIONS, INC.

BellSouth Telecommunications, Inc. ("BellSouth") hereby requests Ernest Communications, Inc. to provide answers in response to the following discovery requests in the time established by the First Report and Recommendation of May 13, 2002.

INSTRUCTIONS

(a) If any response required by way of answer to these requests is considered to contain confidential or protected information, please furnish this information subject to the protective agreement executed by the parties in this docket.

(b) If any response required by way of answer to these requests is withheld under a claim of privilege, please identify the privilege asserted and describe the basis for such assertion.

(c) These requests are to be answered with reference to all information in your possession, custody or control or reasonably available to you.

(d) If any request cannot be responded to in full, answer to the extent possible and specify the reason for your inability to respond fully. If you object to any part of a request, answer all parts of the request to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.

(e) These requests require supplemental responses consistent with the provisions of the Tennessee Rules of Civil Procedure.

DEFINITIONS

(a) "You" and "your" means Ernest Communications, Inc., and any affiliated company providing telecommunications service in the State of Tennessee.

(b) "And" and "or" shall be construed both conjunctively and disjunctively, and each shall include the other whenever such construction will serve to bring within the scope of these Interrogatories information that would not otherwise be brought within their scope.

(c) "Identification" or "identify" when used in reference to: (i) a natural individual, requires you to state his or her full name and residential and business address; (ii) a corporation, requires you to state its full corporate name and any names under which it does business, the state of incorporation, and the address of its principal place of business; (iii) a document, requires you to state the number of pages and the nature of the document (e.g., a letter or memorandum), its title, its date, the name or names of its authors and recipients, and its present location or custodian; (iv) a communication, requires you, if any part of the communication was written, to identify the document or documents which refer to or evidence the communication, and to the extent that the communication was not written, to identify the persons participating in the communication and to state the date, manner, place, and substance of the communication.

(d) "Unbundled Local Switching Exemption" means the rule adopted by the Federal Communications Commission, codified at 47 C.F.R. § 51.319(c)(2), which relieves incumbent local exchange carriers from unbundling local circuit switching in certain geographic locations when a requesting carrier serves an end-user with four or more voice grade (DSO) equivalents or lines.

(e) "Switch" means a device composed of hardware and/or software that establishes, manages and releases physical or virtual connections between two or more points in a voice or data transmission system, regardless of the technology employed (e.g., circuit, wireless, packet, or IP telephony). A "switch" may also perform other functions that enhance the aforementioned connections by providing additional information to or about the parties or devices that are involved in the connections.

DISCOVERY REQUESTS

1. Please identify each switch that you own or operate to provide telecommunications service in the State of Tennessee, including, but not limited to, switches outside Tennessee. In answering this request, please describe with particularity for each such switch:

- (a) the specific location of the switch;
- (b) the type of switch that has been deployed (e.g., circuit, wireless, packet, etc.);
- (c) the functions and capabilities of the switch;
- (d) the geographic area served by the switch;
- (e) the total number of access lines or equivalent lines the switch is capable of serving; and
- (f) the total number of access lines or equivalent lines the switch is currently serving.

2. For each switch identified in the foregoing discovery request, please provide a detailed breakdown of the costs incurred in deploying that switch as well as a complete description of those costs.

3. Please state the total number of switching points of interface you have deployed in the State of Tennessee for the collection of traffic and identify the location of each such switching point of interface.

4. Please state the total number of residential access lines or equivalent lines for which you currently provide local exchange service in Tennessee. In answering this discovery request, please state:

(a) the number of residential access lines or equivalent lines that you currently serve in Tennessee that are located: (i) in the "density zone 1" central offices in the Nashville Metropolitan Statistical Area ("MSA"); and (ii) in the Nashville MSA; and (iii) outside the Nashville MSA;

(b) the number of residential access lines or equivalent lines that you currently serve in Tennessee using: (i) UNE-P purchased from BellSouth; (ii) resold telecommunications services from BellSouth; (iii) your own facilities; and (iv) your own facilities in conjunction with facilities purchased from BellSouth or a carrier other than BellSouth; and

(c) the number of residential access lines or equivalent lines that you currently serve in the "density zone 1" central offices in the Nashville MSA using: (i) UNE-P purchased from BellSouth; (ii) resold telecommunications services from BellSouth; (iii) your own facilities; and (iv) your own facilities in conjunction with facilities purchased from BellSouth or a carrier other than BellSouth.

5. Please state the total number of business access lines or equivalent lines for which you currently provide local exchange service in Tennessee. In answering this discovery request, please state:

(a) the number of business lines or equivalent lines that you currently serve in Tennessee that are located: (i) in the "density zone 1" central offices in the Nashville Metropolitan Statistical Area ("MSA"); and (ii) in the Nashville MSA; and (iii) outside the Nashville MSA;

(b) the number of business access lines or equivalent lines that you currently serve in Tennessee using: (i) UNE-P purchased from BellSouth; (ii) resold telecommunications services from BellSouth; (iii) your own facilities; and (iv) your own facilities in conjunction with facilities purchased from BellSouth or a carrier other than BellSouth; and

(c) the number of business access lines or equivalent lines that you currently serve in the "density zone 1" central offices in the Nashville MSA using: (i) UNE-P purchased from BellSouth; (ii) resold telecommunications services from BellSouth; (iii) your own facilities; and (iv) your own facilities in conjunction with facilities purchased from BellSouth or a carrier other than BellSouth.

6. Do you currently provide local exchange service to end-user customers in Tennessee with four or more voice grade (DSO) equivalents or lines? If the answer to this discovery request is in the affirmative, please state:

(a) the total number of end-user customers with four or more voice grade (DSO) equivalent or lines currently served by you;

(b) the total number of end-user customers with four or more voice grade (DSO) equivalents or lines currently served by you that are located: (i) in the "density zone 1" central offices in the Nashville Metropolitan Statistical Area ("MSA"); and (ii) in the Nashville MSA; and (iii) outside the Nashville MSA; and

(c) the total number of end-users customer with four or more voice grade (DSO) equivalents or lines currently served by you using: (i) facilities purchased exclusively from BellSouth; (ii) resold telecommunications services from BellSouth; (iii) your own facilities; and (iv) your own facilities in conjunction with facilities purchased from BellSouth or a carrier other than BellSouth.

7. Is it your contention that the Unbundled Local Switching Exemption has prevented you from competing or otherwise made it more difficult for you to compete in the local exchange market in Tennessee? If the answer is in the affirmative, please state all facts and identify all documents that support this contention.

8. Have you purchased switching from a telecommunications carrier other than BellSouth in providing local exchange service to end-user customers?

9. If the answer to Discovery Request No. 8 is in the affirmative, state all facts and identify all documents referring or relating to such purchase.

10. If the answer to Discovery Request No. 8 is in the negative, please:

(a) state whether you have ever investigated or otherwise considered purchasing switching from a carrier other than BellSouth, and, if so, the results of such investigation or consideration;

(b) state whether you have ever requested switching from a carrier other than BellSouth, and, if so, the reasons for such request and the reasons why you decided not to purchase switching from such carrier; and

(c) identify all documents referring or relating to such investigation, consideration or request.

11. Please identify carriers other than BellSouth, of which you are aware, that offer switching in Tennessee.

12. Is it your contention that your ability to provide local exchange service to customers in Tennessee via your own switch has been impeded by a lack of collocation space in BellSouth central offices? If the answer is in the affirmative, please state all facts and identify all documents that support this contention.

13. Please produce any and all documents referred to or identified in response to BellSouth's Discovery Requests.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By: 

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CERTIFICATE OF SERVICE

I hereby certify that on May 24, 2002, a copy of the foregoing document was served on counsel for known parties, via the method indicated, addressed as follows:

☒ Hand
☐ Mail
☐ Facsimile
☐ Overnight
☐ Electronic

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A handwritten signature in cursive script, appearing to read "Julie Phelps", is written over a horizontal line.